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HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. NO. 2560 of 2005

Petitioners	1.	Rohit Kumar Sahu S/o Late Punu Ram Sahu, Aged about 40 years, R/o Village Angari, P.S.-Balod, Dist : Durg – (C.G.)
	2.	Madan Lal Gond, S/o Punu Gond, Aged about 62 years, R/o Village Angari, P.S.-Balod, Tehsil-Balod, Dist : Durg – (C.G.)
	Versus	
Respondents	1.	State of Chhattisgarh, Through the Revenue Secretary, Revenue Department, D.K.S. Bhawan, Raipur-(C.G.).
	2.	The Gram Vikas Samiti Angari, Through – President Shri Danush Ram Sahu, Gram Angari, Tehsil – Balod, Dist : Durg-(C.G.)
	3.	The Collector Durg, Dist : Durg (C.G.)
	4.	The Sub Divisional Officer Durg, Dist : Durg (C.G.)
	5	The Nayab Tehsildar Durg, Dist : Durg-(C.G.)
	6	The Board of Revenue Bilaspur-(C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(SB : Hon'ble Mr. Satish K. Agnihotri, J.)

Present :- Shri Rakesh Sahu, Advocate for the petitioner.
Shri Vivek Sharma, Panel lawyer for the respondents/State.

ORDER

(Passed on this 27th day of August, 2007)

1. The petitioners, in para 5.11 and para 10 of the petition, aver that against the order dated 25.10.2004 (Annexure P/8) passed by the Sub-Divisional Officer, Balod, the petitioners had preferred an appeal before the Board of Revenue on 27.1.2005. The same is pending consideration.

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2. In view of the fact that the petitioners have already availed remedy of statutory appeal by filing an appeal before the Board of Revenue, this Court cannot exercise extraordinary jurisdiction, as the petitioner cannot pursue the same remedy before the Board of Revenue as well as before this Court under Article 226/227 of the Constitution of India.

3. The writ petition is accordingly dismissed as not maintainable. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

B/-